

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 701826-056360 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/521524
INTERNATIONAL APPLICATION NO. PCT/CA2003/001069	INTERNATIONAL FILING DATE 16 July 2003 (16.07.2003)	PRIORITY DATE CLAIMED 16 July 2002 (16.07.2002)
TITLE OF INVENTION COMPOSITION FOR CYTOCOMPATIBLE, INJECTABLE, SELF-GELLING CHITOSAN SOLUTIONS FOR ENCAPSULATING AND DELIVERING LIVE CELLS OR BIOLOGICALLY ACTIVE FACTORS		
APPLICANT(S) FOR DO/EO/US BIO SYNTECH CANADA, INC.; HOEMANN, Caroline; CHENITE, Abdellatif; BUSCHMANN, Michael; SERREQI, Alessio and SUN, Jun		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information:		

Cover Sheet (W/O 2004/006961 A1); Notice Informing the Applicant of Communication of International Application to Designated Offices (PCT/IB/308); Notification of Recording of Change (1st inventor Hoemann) (PCT/IB/306); Int. Search Report (PCT/IB/220); Express Mail Cert. EL 948121855 US; Check - \$1,015.00; Return Rec. Postcard.

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/521524</div>		INTERNATIONAL APPLICATION NO. PCT/CA2003/001069		ATTORNEY'S DOCKET NUMBER 701826-056360											
21. The following fees are submitted: <input checked="" type="checkbox"/> a) Basic national fee..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee..... \$200.00 <input checked="" type="checkbox"/> c) Search fee..... \$500.00 <div style="text-align: right; margin-top: 5px;"> TOTAL OF ABOVE CALCULATIONS = \$1000.00 </div> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Applicant use</th> <th style="text-align: left;">Office use only</th> </tr> <tr> <td>\$ 300.00</td> <td></td> </tr> <tr> <td>\$ 200.00</td> <td></td> </tr> <tr> <td>\$ 500.00</td> <td></td> </tr> <tr> <td>\$ 1,000.00</td> <td></td> </tr> </table>		Applicant use	Office use only	\$ 300.00		\$ 200.00		\$ 500.00		\$ 1,000.00	
Applicant use	Office use only														
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Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE												
34 - 100 =	-66 /50 =		x \$250.00	\$ 0.00											
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00											
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE											
Total claims		34 - 20 =	14	x \$50.00	\$ 700.00										
Independent claims		4 - 3 =	1	x \$200.00	\$ 200.00										
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$ 0.00										
TOTAL OF ABOVE CALCULATIONS =				\$ 2,030.00											
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 1,015.00											
SUBTOTAL =				\$ 1,015.00											
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00											
TOTAL NATIONAL FEE =				\$ 1,015.00											
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00											
TOTAL FEES ENCLOSED =				\$ 1,015.00											
Amount to be refunded:					\$										
Amount to be charged					\$										
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,015.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0850</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.															
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.															
SEND ALL CORRESPONDENCE TO: David S. Resnick NIXON PEABODY LLP 100 Summer Street Boston, MA 02110-2131 US															
				 SIGNATURE David S. Resnick NAME 34,235 REGISTRATION NUMBER											

Practitioner's Docket No. 701826-056360

PATENT

IN THE UNITED STATES RECEIVING OFFICE

International Application Number	International Filing Date	International Earliest Priority Date
PCT/CA2003/001069	16 July 2003 16.07.03	16 July 2002 16.07.02

TITLE OF INVENTION: COMPOSITION FOR CYTOCOMPATIBLE, INJECTABLE, SELF-GELLING CHITOSAN SOLUTIONS FOR ENCAPSULATING AND DELIVERING LIVE CELLS OR BIOLOGICALLY ACTIVE FACTORS

APPLICANT FOR DO/US: BIO SYNTECH CANADA, INC.; HOEMANN, Caroline; CHENITE, Abdellatif; BUSCHMAN, Michael; SERREQI, Alessio; and SUN, Jun

INVENTORS FOR DO/US: HOEMANN, Caroline; CHENITE, Abdellatif; BUSCHMAN, Michael; SERREQI, Alessio; and SUN, Jun

U.S. SERIAL NO.: TO BE ASSIGNED

CERTIFICATE OF MAILING	
<p>I hereby certify that this correspondence, on the date shown below, is being deposited with the United States Postal Service with sufficient postage as Express Mail Label No. <u>EL 948 121 855 US</u> in an envelope addressed to MAIL STOP PCT, Commissioner of Patents, Box 1450, Alexandria, VA 22313-1450.</p>	
<p>Date: <u>1/18/05</u></p>	<p style="text-align: center;"><i>Nicole M. Aguirre</i> Nicole M. Aguirre</p>

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

VERIFIED CERTIFICATION OF EXPRESS MAILING DATE
(INTERNATIONAL APPLICATION (37 C.F.R. § 1.10(c))

I declare that, on January 18, 2005, I deposited with the United States Postal Service, in an envelope "Express Mail, Post Office to Addressee," bearing Label Number EL 948 121 855 US, addressed to "MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450," and having an express mail certification that I executed, the following papers:

1. Transmittal Letter – Form PTO-1390 in Duplicate (4 pp.);
2. Preliminary Amendment (7 pp.);
3. Application Data Sheet (9 pp.);
4. Cover Sheet (WO 2004/006961 A1) (1 pp.);
5. Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (PCT/IB/308) (1 pg.);
6. Notice of the Recording of a Change – 1st Inventor Hoemann (PCT/IB/306) (1 pg.);
7. International Search Report (PCT/IB/220) (4 pp.);
8. Check - \$1,015.00;

9. Return Receipt Postcard.

A copy of these papers from the file of this application is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date January 18, 2005


Nicole M. Aguirre